

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10 and 20-28 are pending in the present application. Claims 1, 10, 20, and 28 are amended by the present amendment.

In the outstanding Office Action, Claims 1-4, 6-8, 10, 20-23, 25-27, and 28 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nepela et al. (U.S. Patent No. 6,078,479, herein “Nepela”) in view of Hayashi et al. (U.S. Patent No. 6,490,139, herein “Hayashi”), and Claims 5 and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nepela in view of Hayashi and Sasaki et al. U.S. Patent No. 6,577,475, herein “Sasaki”).

Initially, Applicants note that the references of the Information Disclosure Statement (IDS) filed on November 18, 2003, have not been acknowledged as considered. Accordingly, for the Examiner’s convenience, a copy of that IDS and the accompanying documents is enclosed and the Examiner is respectfully requested to acknowledge the references listed on the enclosed 1449-form as considered.

Regarding the rejection of Claims 1-4, 6-8, 10, 20-23, 25-27, and 28 under 35 U.S.C. § 103(a) as unpatentable over Nepela in view of Hayashi, independent Claims 1, 10, 20, and 28 have been amended to more clearly recite relationships (1) between a rear portion of one of a pair of magnetic yokes and a magnetoresistance effect film, and (2) between the rear portion of the one of the pair of magnetic yokes and a pair of biasing films. The claim amendments find support in Figures 1 and 2 and in their corresponding description in the specification. No new matter has been added.

Briefly recapitulating, amended Claim 1 is directed to a magnetic reproducing head having a magnetic gap at a medium-facing surface. The magnetic head includes, *inter alia*, a pair of magnetic yokes, a magnetoresistance effect film, and a pair of biasing films. The

magnetic gap is formed between the pair of magnetic yokes and one of the pair of magnetic yokes has a rear portion recessed from the medium-facing surface. The magnetoresistance effect film is recessed from the medium-facing surface and is disposed between the pair of magnetic yokes. The rear portion of the one of the pair of the magnetic yokes and the magnetoresistance effect film are aligned in a track length direction. The pair of biasing films is recessed from the medium-facing surface and the rear portion of the one of the pair of magnetic yokes and the pair of biasing films are aligned in the track width direction.

Independent Claims 10, 20, and 28 have been amended similar to Claim 1.

In a non-limiting example, Figure 1 show a cross-sectional view of the magnetic reproducing head along the track width direction. Figure 1 shows the pair of magnetic yokes 1 and 2, and the magnetoresistance effect film 9. In another non-limiting example, Figure 2 shows the pair of biasing films 3a and 3b in a cross-sectional view along the track length direction.

The outstanding Office Action asserts in the paragraph bridging pages 2 and 3 that Nepela shows in Figures 1-3 a magnetic had having a pair of magnetic yokes P1 + P2A and P2B and a magnetoresistance effect film 19 recessed from a medium-facing surface. However, the outstanding Office Action recognizes at page 3, first full paragraph, that Nepela “does not explicitly show a pair of biasing films recessed from the medium-facing surface.”

In addition, Applicants respectfully submit that Nepela does not teach or suggest (i) the rear portion of one of the magnetic yokes and the magnetoresistance effect film being aligned in a track length direction, and (ii) the rear portion of the one the magnetic yoke and the pair of biasing films being aligned in the track width direction as required by amended Claims 1, 10, 20, and 28.

The outstanding Office Action relies on Hayashi for showing in Figures 16 and 18 a pair of biasing films 46 recessed from the medium-facing surface. However, Hayashi does

not overcome the deficiencies of Nepela because the features (i) and (ii) discussed above as lacking in Nepela also lack in Hayashi.

Accordingly, it is respectfully submitted that independent Claims 1, 10, 20, and 28 and each of the claims depending therefrom patentably distinguish over Nepela and Hayashi, either alone or in combination.

Regarding the rejection of dependent Claims 5 and 24 under 35 U.S.C. § 103(a) as unpatentable over Nepela in view of Hayashi and Sasaki, that rejection is respectfully traversed for the following reasons. Applicants have considered Sasaki but Sasaki does not overcome the deficiencies of Nepela and Hayashi discussed above. In addition, Claims 5 and 24 depend from independent Claims 1 and 23, respectively, which are believed to be allowable as discussed above. Accordingly, it is respectfully submitted that dependent Claims 5 and 24 are also allowable.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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